

**TOWN OF FREDERICK
ATTORNEY STATUS REPORT
SEPTEMBER 28, 2009**

LITIGATION

| Item/Topic | Date Initiated | Status/Date Completed |
|-----------------------------|-----------------------|---------------------------------------------------------------|
| SMT - Yardley Annexation | 5/15/07 | On appeal to Court of Appeals our last brief filed on 8/17/09 |
| Erie – Yardley Annexation | 5/15/07 | On appeal to Court of Appeals – no decision on attorney fees |
| Oil and gas inspection fees | 2007 | Lit. pending, Letter of intent to file litigation forthcoming |
| VanDeventer (Net Lease) | 10/07 | In contact with attorney |
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DEVELOPMENT MATTERS

| Item/Topic | Date Initiated | Status/Date Completed |
|-----------------------------------------------|-----------------------|-----------------------------------|
| Avocet Subdiv. | 2008 | Pending, MOAPI sent for recording |
| Carbon Valley Rec Rezone/Amnd | 2009 | Pending |
| Fred West Replat Blk 5 | 2008 | Inactive |
| Hinkle Farm Filing 1 | 2007 | Pending, awaiting new fence data |
| 9 th and 11 th Vacation | 5/8/07 | Withdrawn |
| Miner's Village Final Plat/FDP | 1/23/08 | Inactive |
| Wyndham Hill Prelim Plat/PUD Amnd | 4/1/08 | Inactive |
| Wyndham Hill Filing 4 replat | 4/1/08 | Delayed |
| Wyndham Hill Zoning Amendment 3 | 4/1/08 | Delayed |
| Meadowlark Business Filing 3 | | Pending, MOAPI being finalized |
| Salud Family Health Site Plan Amend. | 1/08/09 | Pending |
| Raspberry Hill LOC replacement | 2009 | Pending |
| Eagle Ridge Bus Pk/Westervelt Sub | 2009 | Pending |
| US Engineering metal building campus | 3/2009 | Pending |
| Miner's Village Minor/Subdiv Amend | 2009 | Pending |
| St. Dimitrie the New Annex/Zone | 2009 | PC approval 8/19, Before BOT 9/8 |
| Lansons Farm/LUH MOAPI | 2009 | Pending |
| St Vrain San/Tri-Area Plat #2 Annex | 2009 | Pending |
| Tops Business Park Waiver | 2009 | Before BOT 9/22 |
| Front Range Tool Waiver | 2009 | Before BOT 9/22 |

LICENSES, FRANCHISES, AGREEMENTS, CONTRACTS AND ORDINANCES

| Item/Topic | Date Initiated | Status/Date Completed |
|-----------------------------------------------|-----------------------|--------------------------------------|
| Halleck Lease | 4/30/08 | Completed |
| Longmont IGA | 2008 | In process |
| Home Rule | | In process |
| Comcast 1 st Amend to Franc. Agm't | 3/2009 | Continued |
| NATA membership | 2009 | Pending |
| Fence Permit/Review Resolution | 2009 | Pending, per BOT direction 6/9/09 |
| Firestone IGA | 2009 | In process |
| United Power Agreement | 2009 | See Confidential Memo in 8/25 packet |
| Medical Marijuana Regulation | 2009 | In process |
| LUC Rev.-Improvement Guar. Amt. | 2009 | Completed |
| 2009 WCR Orphan Annex/Zone | 2009 | Completed |
| Amendment to Impact Fee Collection Practices | 2009 | Completed |
| Fiber Optic Pole Connection Permits | 2009 - | Pending |

OTHER LEGAL MATTERS

| Item/Topic | Date Initiated | Status/Date Completed |
|----------------------------------|-----------------------|----------------------------------------------------------------------|
| St Vrain San/Tri-Area Properties | 2007 | Chart of easements prepared. SVSD will be contacted |
| Countryside HOA Tract E | 2008 | In process re: division of watering to HOA and maint of park to Town |
| Kerr McGee App's for Hauck Wells | 2008 | Letter sent to Kerr McGee |
| Rinn Valley Park | 2008 | LOC Extended |
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GENERAL ADVICE ITEMS

| Item/Topic | Date Initiated | Status/Date Completed |
|-------------------|-----------------------|------------------------------|
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ITEMS COMPLETED (2009)

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|------------------------------|----------|-----------|
| Frederick Fiber Tower | | Withdrawn |
| Water's Edge Prelim Plat PDP | | Completed |
| Anderson Farm | 10/20/05 | Withdrawn |
| Fred. West Bus.Center Replat | 6/1/06 | Withdrawn |
| Highway Oasis Minor Sub | 4/1/08 | Completed |

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| Nelson Lks Prelim/Final Plat | 4/1/08 | Completed |
| NCMC/Banner Health Final Plat and Final PUD | 4/1/08 | Withdrawn |
| Dacono Wells | 4/1/08 | Completed |
| Bear Industrial Replat 4 | | Completed |
| Moore farms subdivision | 5/1/08 | Completed |
| Sullivan Oil and Gas Well | | Completed |
| Moore Farms Vacation of Easement | | Completed |
| Accounting Software | | Completed |
| Idaho Creek Drainage Study | | Completed |
| Electric Rate Increase | | Completed |
| Raw Water Master Plan | | Completed |
| Red Flag Rules Policy Adoption | 2008 | Completed |
| Hauck Preserve Annexation | 4/17/07 | Completed |
| Mendoza Farm Annexation | 5/8/07 | Withdrawn |
| Longmont Humane Society Agreement | 2008 | Completed |
| Carbon Valley Senior Ctr IGA | 2008 | Completed |
| Summons power for Bldg Off. | 2008 | Completed |
| School Resource Off. Agmt | | Completed |
| Hwy 52/Dacono de-annex'n | 2008 | Completed |
| Glacier Pk Storage Cond Use | | Completed |
| Episcopal Church Rezone | 2008 | Completed |
| Carriage Hills, Flg 2 Vesting | 2009 | Completed |
| Adoption by Ref of Art 2. | 12/18/2008 | BOT approval 3/24/09 |
| 318 4 th St. Lease | 2/2009 | Completed. Town will be named as an additional insured |
| EnCana Oil/Gas Waiver – Yardley Site | 3/6/2009 | BOT approval 4/14/09 |
| Amendment to Art 5, LUC | 2009 | BOT approval 4/28/2009 |
| Amnd Art 8, Floodplain, LUC | 1/09/09 | BOT approval 4/28/2009 |
| Muni. Code Rev – Weed Ctrls | 3/31/09 | BOT approval 4/28/2009 |
| Review of clean up provisions with Town Clerk | 2008 | BOT approval 4/28/2009 |
| Amendment of Water Rights lot-to-lot transfer policy Res. | 4/14/09 | BOT approval 4/28/2009 |
| Yardley trail use license | 2009 | BOT approval 5/12/2009 |
| Yardley Ditch Agmnt Res. | 2009 | Completed |
| Fox Chase Prelim Plat | 2008 | Completed |
| Centex Oil and Gas Well | 6/6/07 | BOT approval 7/7/2008 |
| Miner's Vllg Sketch/Pre plat | 1/23/08 | Completed |
| Verizon Wireless (RMCC) | 4/1/08 | BOT approval 7/7/2008 |

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| 35 Acre LLC Annexation | 5/8/07 | Withdrawn |
| Goddling Hollow Metro. IGA | 2009 | Completed |
| NISP-Resolution re: Declaration of Creation for Communities for Water | 2009 | Completed |
| Yardley Ctrl Burn Liab Waiver | 3/13/09 | Completed |
| Local land use restrictions of amateur radio operations | 2009 | Completed |
| Single Source Trash Enforcement | 2008 | Completed |
| Frederick High School –CDG Site | | Completed |
| Frederick High School – Grant Site | | Completed |
| Utility Fee collections | 2/2009 | Completed |
| Westervelt Comp Plan/Rezone | 2009 | BOT approval 5/26/2009 |
| Goddling Hollow Metro. | 2009 | BOT approval 6/09/2009 |
| Hinkle Farms Metro | 2009 | IGA before BOT 5/26/2009 |
| Nelson Property/Longmont United Hos. Minor Subdivision Waiver | 2009 | BOT approval 5/26/2009 |
| Raspberry Hill MOAPI amendment-- assignment of Ph. III and IV | 2008 | Completed 6/23/2009 |
| Wysock detention purchase | | Completed 6/22/2009 |
| Wyndham Hill Replat A rescission | 2009 | Completed 7/14/2009 |
| Westervelt Public Land Dedications | 2009 | Complete 6/23/2009 |
| Rev. to FMC for Utility Reconnects | 2009 | Completed |
| Contract with HRMC | 2009 | Completed |
| RMCC/MOAPI Reimb Request | 1/14/09 | BOT approval 7/14/2009 |
| Steel Dimensions | | Completed |
| Wyndham Hill Detention Facility | 10/13/06 | No action |
| Chrome Horses –Collection | 2008 | No action, awaiting BOT direction |
| Glasgow 5 LLC (Anderson Farms) - collection | 5/29/08 | Closed. No action |
| Glacier Pk Storage | 6/2008 | No action |
| Landmark Dev/Investment | 2007 | No response from Ill. Head Off., no action |
| Wysock Detention Purchase | 2009 | Completed |
| Fiber Optic Comm. Franchise Agm't | 4/13/09 | Completed. No action required. |
| GOC Co Grant approval | 6/2009 | Completed |
| Sandstone Ridge | 2008 | Completed |